HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.1829 OF 2007

Between:

K.R. Mohan

…Petitioner

AND

Andhra Pradesh Pollution Control Board, rep., by its Joint Chief Environmental Engineer, Zonal Office, Kurnool and two others

...Respondents

: O R D E R :

Counsel for the petitioner : Shri L. Ravichander

Counsel for respondent No.1 : Shri S.V. Bhatt

Counsel for respondent No.2 : Shri S.I. Newton

8th March, 2007

Per G.S.SINGHVI, CJ

In this petition, the petitioner has prayed for issue of a mandamus to respondent Nos. 1 and 2 to take preventive, prohibitive and punitive action against respondent No. 3 which is running industry in the residential area in violation of the provisions contained in Air (Prevention and Control of Pollution) Act, 1981 as amended in 1987 (for short, 'the Air Act').

At the hearing, Shri S.V. Bhat, learned counsel for Andhra Pradesh Pollution Control Board stated that the competent authority has passed order dated 9-2-2007 for stopping production by industry and that the said order is under challenge before the Appellate Authority constituted under Water (Prevention and Control of Pollution) Act, 1974 and the Air Act.

In view of the above development, the writ petition is disposed of as infructuous with liberty to the petitioner to apply for intervention in the appeal filed by respondent No.3 and also to file fresh petition if any such contingency arises.

G.S. SINGHVI, C.J.

C.V. NAGARJUNA REDDY, J.

8th March, 2007

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